

what they need. They need a lot of resources, the very last of which would be a wall.

Let's recall, before the holidays, the President said he would sign a continuing resolution through February 8. We had a path forward. We all relied on the President's word. After 24 hours of FOX News and rightwing pundits criticizing him, the President's ego was so bruised he reversed course and broke his word. Here we are, 13 days into a Trump shutdown.

It has to end. We have a clear, sensible, responsible path forward. I strongly urge the Senate Republicans to support and pass this bipartisan compromise. After all, almost every Republican and every Democrat has voted for these bills. Let's vote for them again and tell the President we will work on what is needed for border security. We all agree on the need for border security. Let's work on what is the best way forward, but let's not close down the Department of Agriculture. Let's not close down all these other Departments that American taxpayers rely on.

I yield the floor.

The PRESIDING OFFICER (Ms. COLLINS). The Senator from Texas is recognized.

#### GOVERNMENT FUNDING

Mr. CORNYN. Madam President, the first order of business for the 116th Congress is to finish the business of the 115th Congress, just concluded. As we all know, one of the most important responsibilities of Congress is to fund the vital services provided by our government and in so doing provide paychecks to the hard-working public servants who keep the cogs of government turning.

While, as the distinguished Senator from Vermont recognized, we were successful in a bipartisan way to pass 75 percent of those funding bills, we know the remaining 25 percent is being held hostage over the issue of border security. That equates to hundreds of thousands of Federal workers and their families who don't know how or if they can make their rent this month or buy groceries or keep the lights on. They simply don't know when that next paycheck will be deposited in their bank account or how long the standoff will last. That is unfair, and it is unacceptable collateral damage.

It is our collective responsibility to fund the remaining seven Departments and Agencies and to do so soon. Unfortunately, over the holidays, not much progress seems to have been made. Really, what it amounts to is a debate over semantics: Is it a fence? Is it a wall? Is it border security? What is it? The semantic debate has led us to a partial government shutdown, now 13 days in and without a clear end in sight. We know Washington, DC, where the blame game is a world-class sport, where everybody is on the battlefield pointing fingers of blame any way they can.

Later, the House Democrats will consider a wholly unserious proposal that funds the remaining portions of government without a significant investment in border security. I believe that is a nonstarter. They know it, and we know it. The President won't sign it, and so the majority leader has said it will not be considered here in the Senate.

My constituents, as well as the Presiding Officer's constituents in Maine and Americans living in Tennessee, are not interested in show votes; they want real border security—something our Democratic colleagues used to support and have voted for time and again. But the debate has somehow shifted from “How do we solve this problem?” to “Who is going to win?” No longer is it a search for solutions; it is about embarrassing your political opponent and scoring points.

Yesterday on CNN, Alexandra Pelosi, the daughter of incoming Speaker NANCY PELOSI, made a comment about her mother's leadership style. She said: “She'll cut your head off and you don't even know that you are bleeding.” Kind of shocking comments coming from a daughter. It is not something I necessarily would consider a compliment, but the left appears to believe that it is a commendable trait, and they are eager to hand her the Speaker's gavel.

It seems the desire to cultivate a reputation for ruthlessness—win at all costs—has replaced an appetite to actually get things done. Rather than working with those with whom we occasionally disagree, Members are resorting to guerilla warfare—almost literally the law of the jungle. This practice is not only unproductive, it prevents us from securing the border and getting those workers impacted by this partial shutdown back to work.

Of course we know what it is going to take. It is going to take a negotiated agreement between the parties—between the Houses of Congress and the President. It is a challenging task, but it is not impossible. In fact, we have done it often.

My friends, contrary to what you have seen in the news or may read on social media, bipartisanship is not an antiquated or quaint idea, and you don't have to look very far back to see how we have been able to make bipartisanship work for the benefit of the American people. The 115th Congress was marked by major bipartisan accomplishments.

Just 2 weeks ago, the President signed legislation to overhaul our criminal justice system. This bill was a result of a lot of hard work and tough negotiations between Democrats and Republicans on both ends of the Capitol, as well as the leadership at the White House. Bipartisan work has allowed us to pass bills to tackle the substance abuse epidemic in this country, which claimed more than 70,000 lives last year alone. It has allowed us to fight human trafficking together and

to reduce gun violence and other violent crime. Together, we have supported America's military and delivered reforms to veterans' benefits and provided a pay raise to our troops. We reauthorized the Federal Aviation Administration, modernizing airport security for the air-traveling public. We eliminated the gag clause to ensure drug price transparency. Those are just a few of the things we have done together in a bipartisan way.

Working with those you disagree with isn't something to be ashamed of—it is actually how we turn good ideas into good laws and in so doing, govern.

I am glad to see him on the floor because I was going to mention the great example from our friend from Tennessee, Senator ALEXANDER, who wrote an op-ed in the Washington Post today about the importance of finding common ground. He gave an object lesson of how working together on very potentially polarizing legislation can be accomplished in a way that produces a result from which the American people benefit. Of course, that was a lesson he said he learned from negotiating with President Obama while working on the Every Student Succeeds Act.

He wrote:

Why, as a Republican, did I agree to a Democratic president's request with which I did not concur? Because I have read the Constitution, and I understand that if the President doesn't sign legislation, it does not become law.

Well, regardless of which party controls the Senate or the House or occupies the White House, that remains a constant. It is the distilled essence of our constitutional system. Democrats in the House should take our colleague's wise words to heart and return to the negotiating table with the President.

I believe there are a lot more productive ways to spend our time in Congress than ruthlessly attempting to annihilate our political opponents—people we disagree with. We can, we have, and we should strive to do better. So it is time to wash off the war paint. We know how to solve problems when we want to, and as we begin a new Congress, I urge all of our colleagues, both Republican and Democratic, to stop trying to score political points and start being productive and in so doing, govern.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

#### GOVERNMENT FUNDING

Mr. ALEXANDER. Madam President, I appreciate the comments of the distinguished senior Senator from Texas. I am glad to know that at least one person read my article in the Washington Post this morning, and I appreciate his mentioning it.

I think we should be blunt about this. There is never an excuse for a shutdown of the federal government. There

is never an excuse for even a partial shutdown of the federal government. Government shutdowns should be as off limits in bargaining over the budget, for example, as chemical weapons are in warfare.

Shutting down the government is not a demonstration of skill or courage; it is a demonstration of incompetence, of a failure by negotiators. It is embarrassing. And the American people ought to hold us accountable for that because we are sent here to get a result. It takes no particular skill or courage to take a position on an issue. If all one wants to do is take a position, you don't have to go through all the trouble of being elected to the U.S. Senate; you could just stay home and get a soap box, or you could get a radio show or a TV show. There are plenty of ways to take a position in this country. The real skill or courage belongs to those who first take their principled positions and then work together to get a result. That is what we do here day in and day out.

The senior Senator from Texas gave some examples of that. One of my favorite examples is what happened this past fall. There we were—if you watch television—in the midst of the Kavanaugh nomination hearing, about which there were enormous differences of opinion—producing, I might add, a historic speech by the Senator from Maine toward the end of it.

One might have thought, well, all they are doing in Washington, DC, is just throwing mud at each other or at Judge Kavanaugh. Well, that was one side of the Capitol. I suggest you look at what happens here as a split-screen television. That was on one side of the Capitol in the fall, but look at what was happening on the other side.

Seventy-two U.S. Senators—about half of them Democrat, half of them Republican—were working together on a bill to address, as the senior Senator from Texas mentioned, the single biggest public health crisis in this country, the opioid problem. We passed that, and it became law. That was done in October on one side of the screen.

We also passed a bill—Senator HATCH was a leader in that, and I worked on it as well—a once-in-a-generation change in the copyright laws, which helps make sure songwriters are paid fairly. Maybe that is not important to you; it is to thousands of songwriters in Nashville and Memphis and maybe in Los Angeles and New York and around the country. That happened in October.

Also in the fall, the Senate passed Appropriations bills—75 percent of the money for funding the federal government, which included record funding for the fourth consecutive year for biomedical research, record funding for the fourth consecutive year for our National Laboratories, and record funding for the fourth consecutive year for supercomputing.

A lot of other things were done this fall. That is the split-screen television.

So we are not defined, really, by the fights we have or by the positions we

take; we are defined and admired or not admired by whether we have the courage and the skill to come to a result.

Let me tell my colleagues a story that I told in that piece that was printed in the Washington Post today. It comes from the summer of 2015 and might offer a suggestion for how to resolve this government shutdown. There is no excuse for having it, but we are stuck in one, and we need to get out of it.

In the summer of 2015, President Obama invited Senator PATTY MURRAY, the Democratic Senator from Washington State, and me down to the White House for a meeting with him in the Oval Office. I am chairman of the Senate's Education Committee, and Senator MURRAY is the ranking Democratic member. What the President wanted to talk about was our work in Congress on trying to fix the law called No Child Left Behind.

If you think resolving an impasse on border security is difficult, try dealing with K-12 education policy. Try setting Federal policy for 100,000 public schools in this country. It is like 100,000 spectators at a University of Tennessee football game, all of whom are sure they are expert coaches and know exactly what to call on the next play. They all had a little football when they were kids, and so they know what play to call. All of us have a little education, and so we know how to fix the schools. Add to that the opinion of Governors, the opinion of teachers unions, the issues of federalism, of civil rights, of overtesting, and common core. And we had a divided government in 2015—a Democratic President, Barack Obama, and a Republican-majority Congress. It was in that environment that we were trying to fix No Child Left Behind.

The President asked Senator MURRAY and me to come meet with him privately in the Oval Office. On that day, the President said to me and to Senator MURRAY that there were three things he wanted in the legislation before he could sign it. I told the President that if he would not oppose the bill as it made its way through the Congress, those three things would be in the final bill or I wouldn't bring it to him.

On December 10, 2015, President Obama signed that bill. It is called the Every Student Succeeds Act. He called it a Christmas miracle even though there were plenty of provisions in it he didn't agree with. The three things he mentioned were included—I promised him that—but there were plenty of other things he did not agree with. “You kept your word,” he told me. “You did too,” I said to the President.

That is how you get a result when you have divided government and strongly held opinions.

Why, as a Republican, did I agree to a Democratic President's requests with which I did not concur? Because I have read the U.S. Constitution. That is

why. And I understand that if the President does not sign a bill, it does not become a law. On the other hand, I knew that the entire law was historic in what it was doing. The Wall Street Journal said that it was the greatest devolution of power from Washington, DC, to the States in a quarter of a century. It repealed the common core mandate, dismantled the national school board, and restored local control of schools.

We worked on it for a long time. We listened to each other. We made a lot of changes. We came up with a result that 85 Members of the U.S. Senate eventually were able to vote for and that the National Governors Association and both of the major teachers unions could support. The result will be that Federal education policy on K-12 will be stable for years to come for the teachers in those 100,000 public schools and the school superintendents and the parents. Nobody even suggested in all of those negotiations shutting down the government to get his or her way. We all knew we were elected to get a result if we could.

Let me tell you another short story. The next year, we were working on something called 21st Century Cures. Same President—Obama. Same Congress—Republican. Very complicated issues. How do you get biomedical research funded and through the Food and Drug Administration in a way that people approve of and would agree to? That is much more complicated than you would expect. I worked with President Obama, who wanted precision medicine. That was in there. Vice President Biden wanted a cancer moonshot. His son had died from cancer the previous year. That was in there. Senator MCCONNELL, the majority leader, said he wanted something on regenerative medicine. That was in there. Speaker RYAN said he wouldn't approve it unless it had funding in a particular way, so we did it that way. Still we were having a hard time with it. I remember calling Vice President Biden at one point late in the year of 2016 and saying: Joe, I am standing here, and I have this all tied up with a ribbon around it. It had all of what I just described in there—precision medicine, cancer moonshot, funding for biomedical research, and regenerative medicine. I said: I feel like the butler standing outside the door of the Oval Office with an order on a silver platter, and no one will open the door. The Vice President said: If you want to feel like a butler, try being the Vice President.

Well, he went to work, and that bill was signed in December of 2016. Senator MCCONNELL said that it was the most important legislation of the Congress. That wasn't because I took a position, and President Obama took a position, and the Vice President took a position. It was because we worked together, understanding that we had to agree to get a result.

So what is the lesson for today? First, Democrats should recognize, as I

did with President Obama in 2015 on fixing No Child Left Behind and in 2016 on 21st Century Cures and on other issues, that when a President elected by the people of the United States—whatever you may think of him—has a legitimate objective, you should bend over backward to try to meet that objective if you want a result.

As for the President, in this case President Trump, I would suggest that he should be as specific and reliable as President Obama was in 2015 when he told me he needed three things in order to sign a bill. When Congress passed a bill with those three things in it, even though it included some other things the President didn't like, he signed the law.

Since President Trump has made it clear that he will not sign any legislation to reopen the Federal Government without some increase in funding for border security, here are three options for where we could go from here to get out of this hole we have dug for ourselves.

No. 1, go small. Give the President the \$1.6 billion he asked for in this year's budget request, which the bipartisan Senate Appropriations Committee, which the Senator from Maine and I serve, approved. Throw in another \$1 billion to improve border security at ports of entry, which everyone agrees we need.

Even better, go bigger. Pass the bill that 54 Senators—I believe we are talking about the Collins-King bill—voted on last February, which combined a solution for children brought to the United States illegally, the Deferred Action for Childhood Arrivals or DACA. The President said he was for that. Then add \$25 billion in appropriated funding for border security over 10 years. That is not \$5 billion or \$1.6 billion or \$3 billion; that is \$25 billion appropriated for border security, which 46 Democrats voted for last February. The bill failed only because of last-minute White House opposition.

Even better, go really big. Begin this new Congress by creating a legal immigration system that secures our borders and defines the status of those already here. In 2013, 68 U.S. Senators, including all 54 Democrats, voted for such a bill, but the House refused to take it up. That bill, which all 54 Democrats voted for, included over \$40 billion and many other provisions to secure our borders.

So there are three ways to turn this lemon into lemonade, so to speak—three ways to dig out of this hole we have dug for ourselves. Instead of saying that once we dig ourselves a hole, we should keep digging forever, climb out of it in a graceful way by solving a big problem.

Someone asked me in the hall recently: Well, why would President Trump agree to such a thing?

Why would he not agree to such a thing? I have said to the President on more than one occasion that when touring the White House, you can look

at the portraits of the Presidents. You see President Nixon, and what do you think? Nixon and China. You see President Reagan, and what do you think? Reagan and the Soviet Union. But Nixon was not always for a relationship with Communist China; he was opposed to it. Reagan was the biggest critic of the Soviet Union in our country. Yet the two of them took those credentials, and they tackled a big problem, and they made a historic contribution to this country.

I believe President Trump could and should do the same thing. We could go small or we could go a little bigger, and pass the Collins-King bill—or something close to it—that we voted for. I would like to see the President say: OK, we have a new Congress; we have divided government. I am the President who can actually make this happen. I believe the American people would trust me if I said that we were creating a comprehensive legal immigration system.

Get us unstuck from this partial government shutdown, and go real big on immigration. That could be President Trump's Nixon-to-China, Reagan-to-the-Berlin-Wall moment in history.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PORTMAN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

#### SENATE ACCOMPLISHMENTS

Mr. PORTMAN. Mr. President, today is a little like opening day here in the U.S. Senate. We have seen some of our colleagues—incumbents who were already elected—walk down this aisle, to be sworn in, after winning 6-year terms. We have also seen some new Members come in from all around the country who are from both parties. Just like every opening day, there is a certain sense of optimism in the air. I just went to a number of receptions for Democrats and Republicans alike, and people are talking about the need for us to work together.

We are also facing a new reality, and that is we have divided government now. Before, we had a Republican House and Senate and a Republican President. Now we have a Democratic-led House to go along with the Republican Senate and a Republican White House. We haven't had a divided government for a little while; yet our jobs don't change at all as our job is to figure out how to work together to get things done. Frankly, here in the U.S. Senate, we need 60 votes for almost anything, which requires a supermajority, which has always been the case. Really, there has been only one

way to accomplish things around here on behalf of the people we represent, which has been to figure out how to find that common ground. It is time to get back to doing that on some of these big issues. I would suggest to you that on issues like, maybe, healthcare and immigration, we have had a gridlock situation, where we just can't seem to figure out even how to get started.

I will say that in 2018, the year that just passed, we did make progress in some areas, and it is worth reflecting on that and talking about how that happened, because that would be the model for the future.

We made progress on combating the opioid epidemic that has gripped this country, and it is the worst public health crisis we have in this country now. In October, President Trump signed opioid legislation into law that contains a number of different ways to push back against this issue. In my home State of Ohio, it is the No. 1 cause of death now. Nationally, it is the No. 1 cause of death for those under age 50. We had over 70,000 people die in this country last year alone from opioid overdoses. So the President signed legislation into law that will help.

One piece of legislation is called the STOP Act. It is something that we worked on for 3 years. In fact, it came out of some work that we did on the Permanent Subcommittee on Investigations. I and the Presiding Officer here today are on the committee, and we are able to work together—Republicans and Democrats alike—and do deep investigations into issues that then result in good legislation. In this case, we found out that more people are dying of fentanyl overdoses—the most deadly of all of the drugs now—of synthetic opioids than of any other drug.

We found out that it comes in through the U.S. mail system, primarily, and from China. We are really doing virtually nothing to provide the screening to try to keep some of this poison out of our communities. So that is now in place. Just a couple of weeks ago, I also met with the Postmaster General and with the head of Customs and Border Protection—the two individuals who are the most responsible for its implementation—to talk about how we can more quickly implement that legislation to save lives.

The bill also includes some other legislation that we worked on for years. One is to remove an arbitrary cap on the ability of people to get treatment. Some treatment centers were capped at 16 beds just because they took Medicaid funding. That made no sense. There are some good treatment centers out there that were turning people away. These people are addicted. If they don't get into treatment, they are going to continue to have their addictions and continue to cause crimes and continue to break up families and cause all kinds of problems for our criminal justice system. So that is a